

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2025 Session of 2018

INTRODUCED BY BOBACK, HARKINS, DRISCOLL, BRIGGS, MURT, RYAN, D. COSTA, KINSEY, MILLARD, V. BROWN, KAUFER, SCHWEYER, O'BRIEN, DEASY, DeLUCA, NEILSON, GILLEN, SIMS, DONATUCCI, ROZZI, SNYDER, BARBIN, STEPHENS, TOOHIL, RAVENSTAHL, THOMAS, WATSON, SCHLOSSBERG, WHEATLEY, READSHAW, BIZZARRO, CALTAGIRONE, CORBIN, MARKOSEK, DAVIS, ROEBUCK, LEWIS AND WARREN, FEBRUARY 5, 2018

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 5, 2018

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
 2 act relating to the public school system, including certain
 3 provisions applicable as well to private and parochial
 4 schools; amending, revising, consolidating and changing the
 5 laws relating thereto," in grounds and buildings, providing
 6 for lead testing.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
 10 as the Public School Code of 1949, is amended by adding a
 11 section to read:

12 Section 742. Lead Testing.--(a) No later than June 30,
 13 2019, a school shall conduct testing of all water outlets used
 14 for drinking and cooking for lead contamination and remediate
 15 any lead contamination identified. The testing and remediation
 16 shall be conducted every two years in accordance with the rules
 17 and regulations established by the Department of Environmental

1 Protection under subsection (c).

2 (b) Upon attaining the results of the testing of all water
3 outlets used for drinking and cooking for lead contamination
4 under subsection (a), the school shall have all of the following
5 duties:

6 (1) Taking any water outlets used for cooking or drinking
7 with lead contamination out of service within twenty-four (24)
8 hours of receiving the testing results.

9 (2) Providing written notice of the testing results and
10 remediation plan to the parents or guardians of the students and
11 staff members of the school if lead contamination is present.

12 (3) Displaying the testing results and remediation plan in a
13 prominent location at the school and posting the testing results
14 and remediation plan on the school's publicly accessible
15 Internet website within ten (10) days of receiving the testing
16 results if lead contamination is present.

17 (4) Submitting the testing results and remediation plan to
18 the Department of Environmental Protection and the Department of
19 Education if lead contamination is present.

20 (c) No later than sixty (60) days after the effective date
21 of this section, the Department of Environmental Protection, in
22 consultation with the Department of Education, shall establish
23 rules and regulations regarding the testing of water outlets
24 used for drinking and cooking for lead contamination and the
25 remediation of lead contamination as required under this
26 section. The rules and regulations shall include, but not be
27 limited to, the following:

28 (1) The minimum criteria for testing water outlets used for
29 drinking and cooking for lead contamination.

30 (2) The exclusive administration of the testing of water

1 outlets used for drinking and cooking for lead contamination by
2 an agency certified by the Department of Environmental
3 Protection.

4 (3) Procedures to ensure that students have access to water
5 free of lead contamination, including before and during
6 remediation.

7 (4) Procedures for the remediation of water outlets used for
8 drinking or cooking if lead contamination is present.

9 (d) As used in this section, the following words and phrases
10 shall have the meanings given to them in this subsection unless
11 the context clearly indicates otherwise:

12 "Lead contamination." The presence of lead equal to five
13 parts per billion.

14 "Remediation." The reduction of a water outlet's lead level
15 below five parts per billion.

16 "School." A public or private primary or secondary school.

17 Section 2. This act shall take effect in 60 days.